



K_KULU KE EA A KANALOA

KAHO‘OLawe ISLAND RESERVE COMMISSION

Frequently Asked Questions

COMMISSION MEMBERS

NOA EMMETT ALULI, M.D.

Chairperson

COLETTE Y. MACHADO

Vice-Chair

CHARLES PMK BURROWS, Ed.D.

GILBERT S. COLOMA-AGARAN

ROBERT J. LU‘UWAI

BURT SAKATA

PETER T. YOUNG

R. KEONI FAIRBANKS

Executive Director

Who is responsible for the management of Kaho‘olawe?

The Kaho‘olawe Island Reserve Commission (KIRC) was established in 1993 by the Hawai‘i State Legislature to manage the Reserve.

Composed of seven commission members, the KIRC relies on a staff of 22 with expertise in Native Hawaiian culture, ocean management, environmental restoration, planning, policy development, and ordnance safety to fulfill its management responsibility.

What is transferring in November 2003?

In accordance with federal law, the land title to Kaho‘olawe was transferred to the state in May 1994. On November 11, 2003, control of *access* to the island was transferred to the state. The federal law that required the Navy to convey the island to the state also authorized \$400M for the removal of unexploded ordnance and environmental restoration. Although the title to the island was transferred in May 1994, the law provided the Navy control of access to the island until the cleanup was completed or 10-years passed from the date of enactment, whichever came first.

Has the island been completely cleared of unexploded ordnance?

No. The entire island and its surrounding waters were used for live fire exercises by the military from 1941 to 1990. During this time substantial amounts of a wide variety of ordnance were delivered on Kaho‘olawe. In 1994, the state and Navy agreed that the 10-year cleanup would provide for the surface clearance of the entire island and approximately 30% of the subsurface to support more intensive uses. As of October 2003, the Navy anticipated that it will complete approximately 20,500 acres surface clearance (70% of the island) of which 2,500 acres will be subsurface cleared (9% of the island). The remaining 30 percent of the island will not be cleared.

Why is the state taking back Kaho‘olawe if it is not entirely cleared of ordnance?

In accordance with the federal law that conveyed the island, there was a provision that required the Navy to return control of access to the State of Hawai‘i at the end of 10 years (from enactment) or when the cleanup was complete, whichever came first. On November 11, 2003, the 10-year period lapsed and control of access to the island automatically returned to the State of Hawai‘i.

Is there a relationship between Kaho‘olawe and Native Hawaiian sovereignty?

Hawai‘i Revised Statutes, Chapter 6K, specifically provides that upon recognition of a sovereign Native Hawaiian entity by the state and federal governments, Kaho‘olawe and its waters will be transferred to this entity.

What has the state planned for Kaho‘olawe?

The KIRC is guided by Chapter 6K, Hawai‘i Revised Statutes, which state that Kaho‘olawe shall be used for Native Hawaiian cultural, and subsistence purposes; preservation of archaeological, historical and environmental resources; habitat restoration; and education. Commercial uses are prohibited. In furtherance of these uses, the KIRC has undertaken considerable planning efforts over the past eight years and developed a series of plans pertaining to use, resource management, and safety in the Reserve. These plans include a Use Plan (1995), Ocean Management Plan (1997), Environmental Restoration Plan (1998), and Access & Risk Management Plan (2002). Cultural practitioners, fishermen, teachers, and kupuna, among many others, were all involved in the process of developing these plans. Copies of these plans may be obtained from the KIRC website at www.kahoolawe.hawaii.gov or from the KIRC office at (808) 243-5020.

Is there water on the island?

Kaho‘olawe has no standing source of fresh water and ground water is severely limited. A rain catchment system was constructed in 2002 near the island’s highest point, Pu‘u Moa‘ulanui. The system is capable of storing about 500,000 gallons of water per year. This water is used to support the KIRC’s environmental restoration efforts. Also, a desalination unit at Honokanai‘a is capable of producing 9,000 gallons of potable water a day.

Is it safe to go to Kaho‘olawe?

Unexploded ordnance hazards remain on Kaho‘olawe; in the cleared areas, in the uncleared areas, and in the surrounding waters. Because of these continued hazards, various protective measures have been instituted in order to maximize safety for persons accessing the Reserve. In 2002, the KIRC developed an Access & Risk Management Plan specifically for this purpose. Within the plan, a series of protective measures are provided and range from a pre-access orientation, signing of waivers, installing warning signs, use limitations, engineering controls, and required escorts. When fully implemented and followed by those going to Kaho‘olawe, the current excellent safety record should be maintained.

Who is liable for ordnance on Kaho‘olawe?

In the federal law that conveyed Kaho‘olawe to the state, there is language specifically stating that the United States shall remain liable for and retain responsibility for any environmental restoration, remediation or corrective action on Kaho‘olawe. Further, in 2002, the State Legislature passed Act 218 which established a process for the state to provide public warnings regarding the ordnance hazards on Kaho‘olawe. Under this process, the state is protected from liability if it provides the public with adequate warning of the ordnance on and around the island through the design and placement of warning signs.

Is there an access plan for Kaho‘olawe?

Yes. The Kaho‘olawe Access and Risk Management Plan, developed by the KIRC in 2002, outlines policies for accessing

Kaho‘olawe. Copies of the plan may be obtained from the KIRC website at www.kahoolawe.hawaii.gov or from the KIRC Office on Maui at 808-243-5020.

When can I go to Kaho‘olawe?

Although control of access was returned to the State on November 11, 2003, the Navy will continue its operations on Kaho‘olawe until March 2004. During this time, the Navy needs to complete its cleanup activities and demobilize from the island. Afterward, the KIRC will establish its Reserve management operations on the island. This will involve the review of the Navy’s final reports, implementation of operating procedures and protocol, and taking inventory of the island’s infrastructure and equipment turned over from the Navy, among other tasks. This process of transition will take some time and therefore, access to Kaho‘olawe in 2004 will be limited.

How can I access Kaho‘olawe?

Access to the Reserve is permitted only with authorization and approval by the KIRC. Given the Navy’s continued presence on Kaho‘olawe until March 2004, and the necessity for the KIRC to establish its management program on island after March, access opportunities are limited at this time to volunteering with the KIRC in support of its cultural and natural resource projects, participating in cultural access with the Protect Kaho‘olawe ‘Ohana, and fishing by trolling two weekends a month in waters deeper than 30 fathoms (180 feet). Persons interested in volunteering with the KIRC may contact the KIRC on Maui at 808-243-5020. The Protect Kaho‘olawe ‘Ohana access information can be obtained from their website at www.kahoolawe.org. Notice of open waters for trolling is posted in the Local Notice to Mariners issued by the U.S. Coast Guard.

Where can I get additional information about Kaho‘olawe?

Further information on Kaho‘olawe may be obtained from the KIRC’s website at www.kahoolawe.hawaii.gov, emailing the KIRC at administrator@kirc.hawaii.gov, or contacting the KIRC on Maui at 808-243-5020.